

Docket No.: 4518-0111PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Hans LOIBNER et al.

Application No.: 10/552,324

Confirmation No.: 8937

Filed: October 7, 2005

Art Unit: Not Yet Assigned

For: IMMUNOGENIC RECOMBINANT  
ANTIBODY

Examiner: Not Yet Assigned

**STATEMENT UNDER 37 C.F.R. 1.821(E) AND RESPONSE TO NOTICE TO COMPLY  
WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to Comply dated July 17, 2006, the time for response having been extended for three (3) months, Applicants respectfully submits:

- Sequence Listing in Computer Readable Format: File Name "4518-0111PUS1.ST25.txt." The enclosed sequence listing information recorded in computer readable form (CRF), required under 37 CFR section 1.821(e), is **identical to the paper copy previously submitted and includes no new matter.**
- Attached is a copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Disclosures

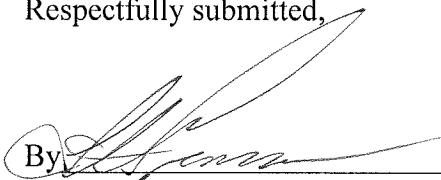
Pursuant to the provisions of 37 C.F.R. 1.17 and 1.136(a), Applicants have petitioned for an extension of three (3) months to December 17, 2006 for the period in which to file a response to

the Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures. The required fee has been paid in connection with the proper filing of this response. Because December 17, 2006, falls on a Sunday, this response is timely filed.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: December 18, 2006

Respectfully submitted,



By   
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Attachment(s)



## UNITED STATES PATENT AND TRADEMARK OFFICE

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L.S.

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/552,324	Hans Loibner	4518-0111PUS1
INTERNATIONAL APPLICATION NO.		
PCT/EP04/04059		
I.A. FILING DATE	PRIORITY DATE	
04/16/2004	04/17/2003	

02292  
 BIRCH STEWART KOLASCH & BIRCH  
 PO BOX 747  
 FALLS CHURCH, VA 22040-0747

COPY

CONFIRMATION NO. 8937  
 371 FORMALITIES LETTER



\*OC000000019636755\*

DOCKETED  
 Sequence  
 11/17/06

Date Mailed: 07/17/2006

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
 CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

**COPY**

Telephone: (703) 308-9140 EXT 207

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/552,324	PCT/EP04/04059	4518-0111PUS1

FORM PCT/DO/EO/922 (371 Formalities Notice)